

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA  
Plaintiff

vs

XAVIER RIVERA-CONCEPCION  
Defendant

CRIMINAL 07-169 CCC

**O R D E R**

Having considered the Report and Recommendation filed on June 21, 2007 (**docket entry 35**) on a Rule 11 proceeding of defendant Xavier Rivera-Concepcion held before Magistrate Judge Marcos E. Lopez on June 20, 2007, to which no opposition has been filed, the same is APPROVED. Accordingly, the plea of guilty of defendant Xavier Rivera-Concepcion is accepted. The Court FINDS that his plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contain all elements of the offense charged in the indictment.

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since June 20, 2007. The **sentencing hearing is set for September 18, 2007 at 4:30 PM.**

SO ORDERED.

At San Juan, Puerto Rico, on June 25, 2007.

S/CARMEN CONSUELO CEREZO  
United States District Judge